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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।
Separate paging is given to this Part in order that it may be filed as a separate compilation

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 22nd May, 1993/Jyaistha 1, 1915 (Saka)

The following Act of Parliament received the assent of the President on the 22nd May, 1993, and is hereby published for general information:—

THE BEEDI AND CIGAR WORKERS (CONDITIONS OF EMPLOYMENT) AMENDMENT ACT, 1993

No. 41 OF 1993

[*22nd May, 1993.*]

An Act to amend the Beedi and Cigar Workers (Conditions of Employment) Act, 1966.

BE it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows:—

Short title and commencement.

1. (1) This Act may be called the Beedi and Cigar Workers (Conditions of Employment) Amendment Act, 1993.

(2) It shall come into force in a State on such date as the State Government may, by notification in the Official Gazette, appoint; and different dates may be appointed by the State Government for different areas and for different provisions of this Act.

Amendment of section 2.

32 of 1966.

2. In section 2 of the Beedi and Cigar Workers (Conditions of Employment) Act, 1966 (hereinafter referred to as the principal Act),—

(*a*) in clause (*f*),—

(i) in the opening paragraph, after the word "establishment", the words "or godown" shall be inserted;

(*ii*) in sub-clause (*ii*), after the words "or contractor", the words "or both" shall be inserted;

(*b*) after clause (*h*), the following clause shall be inserted, namely:—

'(*hh*) "godown" means any warehouse or other place, by whatever name called, used for the storage of—

(*i*) any article or substance required for any manufacturing process; or

(*ii*) beedi or cigar or both;';

(*c*) in clause (*i*), the words "and includes a godown attached thereto" shall be added at the end.

Insertion of new section 7A.

3. After section 7 of the principal Act, the following section shall be inserted, namely:—

Inspector not to disclose the source of any complaint, etc.

"7A. (*1*) No Inspector shall disclose the source of any complaint made to him regarding the contravention of any of the provisions of this Act.

(*2*) No Inspector shall, while making an inspection under this Act in pursuance of a complaint received by him, disclose to the employer or contractor concerned or any of his representatives that the inspection is being made in pursuance of a complaint:

Provided that nothing in this section shall apply to any case in which the person who has made the complaint has consented to disclose his name.".

Amendment of section 14.

4. In section 14 of the principal Act, in sub-section (*1*), for the word "fifty", the word "thirty" shall be substituted.

Amendment of section 18.

5. In section 18 of the principal Act, after sub-section (*2*), the following *Explanation* shall be inserted, namely:—

"*Explanation.*—Where an employee had not worked on any day of the week immediately preceding the week in which the overtime work has been done, any week preceding such week in which he had actually worked shall be taken into account in calculating the overtime rate for the purposes of this sub-section.".

Amendment of section 21.

6. In section 21 of the principal Act, to sub-section (*1*), the following proviso shall be added, namely:—

"Provided that a copy of every such notice shall be sent to the Inspector having jurisdiction over the industrial premises within two weeks from the date on which such notice is exhibited in the industrial premises.".

Amendment of section 31.

7. In section 31 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely:—

"(2A) The appellate authority shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908, when trying a suit, in respect of the following matters, namely:— 5 of 1908.

(a) enforcing the attendance of any person and examining him on oath; and

(b) compelling the production of documents and material objects.".

Amendment of section 32.

8. In section 32 of the principal Act, for the words "three months" and "five hundred rupees", the words "six months" and "five thousand rupees" shall, respectively, be substituted.

Amendment of section 39.

9. In section 39 of the principal Act, in sub-section (2), for the portion beginning with the words "shall be settled" and ending with the words "specify in this behalf", the following shall be substituted, namely:—

"shall be referred for settlement within such time and by such authority as the State Government may, by rules, specify in this behalf and such rules may also provide for the summary manner in which such dispute shall be settled".

Amendment of section 44.

10. In section 44 of the principal Act, in sub-section (2), in clause (w), for the words "authority by which and the manner in which a dispute as to the issue of raw materials shall be settled", the words "the time within which a dispute specified in sub-section (2) of section 39 shall be referred for settlement, the authority by which and the summary manner in which such dispute shall be settled" shall be substituted.

K. L. MOHANPURIA,
Secy. to the Govt. of India.

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